



US Army Corps
of Engineers
Alaska District

Public Notice of Application for Permit

Regulatory Branch (1145)
CEPOA-CO-R
Post Office Box 6898
Elmendorf AFB, Alaska 99506-0898

PUBLIC NOTICE DATE: 25 August 2006
EXPIRATION DATE: 25 September 2006
REFERENCE NUMBER: POA-2006-1418-2
WATERWAY: Tongass Narrows

Interested parties are hereby notified that an application has been received for a Department of the Army permit for certain work in waters of the United States as described below and shown on the attached plan.

APPLICANT: Survey Point Holdings, P.O. Box 8080, Ketchikan, Alaska 99901-8080.

AGENT: PND, Inc., Ms. Jennifer Lundberg, 1506 West 36th Avenue, Anchorage, Alaska 99503-3612, (907) 561-1011.

LOCATION: The proposed project is located within Section 25, T. 75 S., R. 90 E., and Section 30, T. 75 S., R. 91 E., Copper River Meridian; Latitude 55.3448° N., Longitude 131.6566° W., in Ketchikan, Alaska.

PURPOSE: The project would provide berthing for Panamax class (1,000 ft. length) cruise ships, adjacent ground transportation, commercial retail, and residential development.

WORK: Demolish and remove an existing approximate 270-foot by 290-foot pile-supported dock, warehouse, and packing facility over Tongass Narrows, and construct approximately 600 feet of open cell sheet-pile bulkhead with ten (10) 36-inch fender piles, and 120 feet of concrete retaining wall. Discharge approximately 77,000 cubic yards of shot rock, sand, and gravel behind the bulkhead into approximately 2.04 acres below High Tide Line (HTL) (approximately 57,200 cubic yards of fill would be placed into 1.72 acres below Mean High Water (MHW)) to create a 405-foot long by 304-foot wide filled dock. A 205-foot long, 48-inch culvert would extend through the fill from beneath Tongass Avenue.

The proposed fill and bulkhead area would support three mixed-use buildings (occupying an area of approximately 30,000 square feet) and an 800-square foot restroom building. The proposed fill would also support approximately 31,250 square feet of bus parking and 7,500 square feet of vehicle parking, as well as area for pedestrian and vehicle movement, and a security buffer adjacent to the cruise ship berth.

The applicant also proposes to construct a cruise ship berth capable of supporting Panamax (i.e., 1,000-foot long) cruise ships. The proposed berthing facility would include the structural elements below MHW of Tongass Narrows: three (3) breasting/spring dolphins and two (2) mooring dolphins; a 12-foot wide by 130-foot long transfer bridge attached to a 600 square foot float supported by two (2) 36-inch piles; a 14-foot wide by 200-foot long tendering float; two (2) 6-foot wide by 80-foot long gangways; a 143-foot long, a 104-foot long, and a 191-foot long 4-foot wide catwalk.

ADDITIONAL INFORMATION: On March 27, 2006, permit POA-1922-22-Y, Tongass Narrows was issued to the City of Ketchikan for the construction of two new cruise ship berths (Berth III and IV) in Tongass Narrows. The City is currently preparing to construct Berth III. However, due to a lack of funds to enable the construction of Berth IV, the City has signed a Memorandum of Agreement with Survey Point Holdings, Inc. with respect to the development of Berth IV. Under this agreement, Survey Point Holdings, Inc. would design, develop, construct, and own Berth IV, with the City agreeing to a thirty (30) year lease of the berth, and the possibility of two (2) ten year extensions. The portion of permit POA-1992-22-Y concerning the construction of Berth IV has been transferred to Survey Point Holdings, Inc. and permit number POA-2006-1418 has been assigned to the proposed project. This project is associated with the expansion of the City of Ketchikan's cruise ship berthing facilities.

An elevated shore bollard and a mixed use building (occupying an approximate 11,000 square foot area) would be constructed on an area of previously authorized fill (Corps of Engineers Permit POA-1980-111-2).

A secondary purpose of the proposed fill and bulkheaded area would be to use the facility during the off-season (September through March) as a heavy load dock for specialized cargo loading and loading. The applicant has stated that cargo would be handled across this dock approximately one (1) to two (2) times per year, for cargo requiring a heavy crane. The applicant also proposes off-season use of the dock for emergency situations that existing public pile-supported docks are not capable of handling. The applicant has identified five (5) to six (6) instances each year where emergencies occur and has stated the public docks are not capable of handling these emergencies.

The overall development of the Berth IV area would provide facilities for the loading and off-loading of cruise ship passengers, tour bus staging and parking, and buildings providing retail shopping, office and storage space, and vessel support services. It would primarily be aimed at revitalizing a portion of Ketchikan's waterfront area in support of local tourism, and local economic development.

MITIGATION: The applicant has offered no measures to avoid, minimize, reduce, or mitigate impacts to the aquatic environment.

WATER QUALITY CERTIFICATION: A permit for the described work will not be issued until a certification or waiver of certification as required under Section 401 of the Clean Water Act (Public Law 95-217), has been received from the Alaska Department of Environmental Conservation.

COASTAL ZONE MANAGEMENT ACT CERTIFICATION: Section 307(c)(3) of the Coastal Zone, Management Act of 1972, as amended by 16 U.S.C. 1456(c)(3), requires the applicant to certify that the described activity affecting land or water uses in the Coastal Zone complies with the Alaska Coastal Management Program. A permit will not be issued until the Office of Project Management and Permitting, Department of Natural Resources has concurred with the applicant's certification.

PUBLIC HEARING: Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, reasons for holding a public hearing.

CULTURAL RESOURCES: The latest published version of the Alaska Heritage Resources Survey (AHRS) has been consulted for the presence or absence of historic properties, including those listed in or eligible for inclusion in the National Register of Historic Places. There are two eligible properties on the project worksite. These are the Beegle Packing Company (KET-313) and the Taquan Building (KET-312). Because these two properties are within the project area, a determination of effect will be made in consultation with the State Historic Preservation Officer (SHPO). Both of these properties are proposed for demolition and removal. Consultation of the AHRS constitutes the extent of cultural resource investigations by the District Engineer at this time. Any comments SHPO may have concerning presently unknown archeological or historic data that may be lost or destroyed by work under the requested permit will be considered in our final assessment of the described work.

TRIBAL CONSULTATION: The Alaska District fully supports tribal self-governance and government-to-government relations between the Federal government and Federally recognized Tribes. This notice invites participation by agencies, Tribes, and members of the public in the Federal decision-making process. In addition, Tribes with protected rights or resources that could be significantly affected by a proposed Federal action (e.g., a permit decision) have the right to consult with the Alaska District on a government-to-government basis. Views of each Tribe regarding protected rights and resources will be accorded due consideration in this process. This Public Notice serves as notification to the Tribes within the area potentially affected by the proposed work and invites their participation in the Federal decision-making process regarding the protected Tribal right or resource. Consultation may be initiated by the affected Tribe upon written request to the District Engineer during the public comment period.

ENDANGERED SPECIES: Tongass Narrows is within the known or historic range of the Steller sea lion (*Eumetopias jubatus*) (eastern stock) and the endangered humpback whale (*Megaptera novaeangliae*). The project is not identified as designated or proposed critical habitat for any listed species. There are no Steller sea lion rookeries or haul out areas near the project site. The project area has been extensively developed for commercial and industrial use, and there is no undisturbed suitable habitat for the Steller sea lion or for the humpback whale. The project would include pile driving for the installation of mooring and breasting dolphins. Noise from pile driving has the potential to adversely affect marine mammals, should they be located in proximity to the activity. Consequently, it has been determined that the proposed activity may affect Stellar sea lion and humpback whale, should they occupy the project area during pile driving. The existing authorization for Berth IV (POA-1922-22-Y), issued on March 27, 2006, to the City of Ketchikan, included several special conditions aimed at minimizing effects to the aquatic environment. These conditions applied to the timing and type of pile driving, and the provision of a marine mammal observer. These conditions would apply to this current proposal of Berth IV. This application is being coordinated with the U.S. Fish and Wildlife Service and the National Marine Fisheries Service. Any comments they may have concerning endangered or threatened wildlife or plants or their critical habitat will be considered in our final assessment of the described work.

ESSENTIAL FISH HABITAT: The proposed work is being evaluated for possible effects to Essential Fish Habitat (EFH) pursuant to the Magnuson Stevens Fishery Conservation and Management Act of 1996 (MSFCMA), 16 U.S.C. et seq and associated federal regulations found at 50 CFR 600 Subpart K. The Alaska District includes

areas of EFH as Fishery Management Plans. We have reviewed the January 20, 1999, North Pacific Fishery Management Council's Environmental Assessment to locate Essential Fish Habitat (EFH) area as identified by the National Marine Fisheries Service (NMFS). Tongass Narrows in the vicinity of the proposed project is identified as EFH for a number of species of groundfish and salmon. We have determined that the proposed activity would eliminate approximately 2.04 acres of EFH for juvenile and adult salmon and groundfish, and would affect approximately 0.25-acre of EFH during construction and as a result of shade created by the proposed structure. This Public Notice initiates consultation requirements with the NMFS under the MSFCMA. We have insufficient information at this time to assess the cumulative effects of the proposed work on EFH, but cumulative effects will be considered in our final assessment of the described work. Any conservation recommendations regarding EFH for federally managed fish will also be considered in our final assessment of the described work. This proposed project may also adversely affect associated species such as major prey or predator species which are not covered by Fishery Management Plans.

SPECIAL AREA DESIGNATION: None.

EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impacts including cumulative impacts of the proposed activity and its intended use on the public interest. Evaluation of the probable impacts, which the proposed activity may have on the public interest, requires a careful weighing of all the factors that become relevant in each particular case. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. The decision whether to authorize a proposal, and if so, the conditions under which it will be allowed to occur, are therefore determined by the outcome of the general balancing process. That decision should reflect the national concern for both protection and utilization of important resources. All factors, which may be relevant to the proposal, must be considered including the cumulative effects thereof. Among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people. For activities involving 404 discharges, a permit will be denied if the discharge that would be authorized by such permit would not comply with the Environmental Protection Agency's 404(b)(1) guidelines. Subject to the preceding sentence and any other applicable guidelines or criteria (see Sections 320.2 and 320.3), a permit will be granted unless the District Engineer determines that it would be contrary to the public interest.

The Corps of Engineers is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Comments on the described work, with the reference number, should reach this office no later than the expiration date of this Public Notice to become part of the record and be considered in the decision. Please contact Ms. Robin Leighty at

(907) 753-2712, toll free from within Alaska at (800) 478-2712, or by email at robin.l.leighty@poa02.usace.army.mil if further information is desired concerning this notice.

AUTHORITY: This permit will be issued or denied under the following authorities:

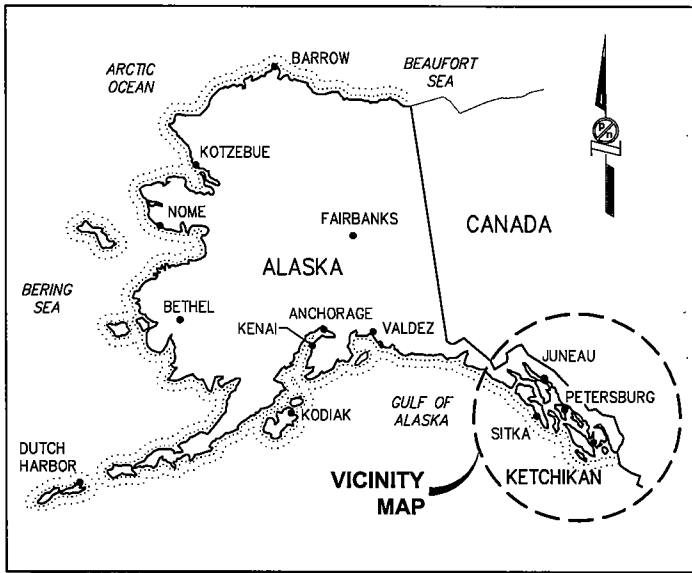
(X) Perform work in or affecting navigable waters of the United States - Section 10 Rivers and Harbors Act 1899 (33 U.S.C. 403).

(X) Discharge dredged or fill material into waters of the United States - Section 404 Clean Water Act (33 U.S.C. 1344). Therefore, our public interest review will consider the guidelines set forth under Section 404(b) of the Clean Water Act (40 CFR 230).

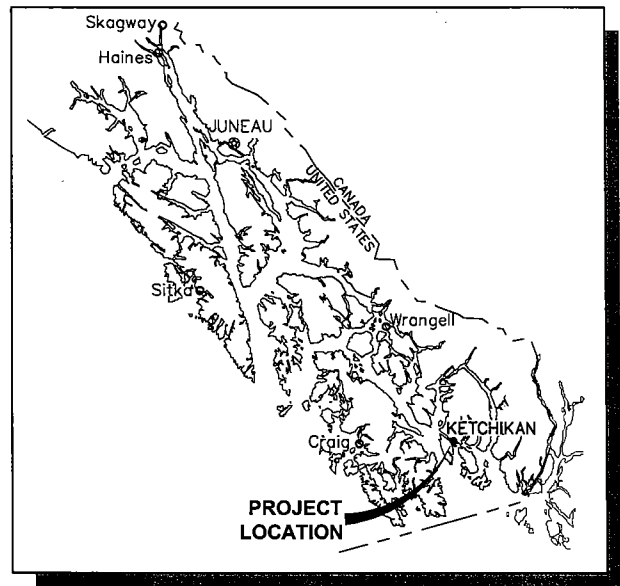
A plan, Notice of Application for Certification of Consistency with the Alaska Coastal Management Program, and Notice of Application for State Water Quality Certification are attached to this Public Notice.

District Engineer
U.S. Army, Corps of Engineers

Attachments



ALASKA KEY MAP



VICINITY MAP



LOCATION MAP

(EXISTING CONDITIONS)

| TIDAL INFORMATION | |
|---------------------------------|------------|
| | ELEV. (FT) |
| HIGHEST OBSERVED (12/2/1967) | 21.3 |
| HTL | 19.4 |
| MHHW | 15.4 |
| MHW | 14.4 |
| MLW | 1.6 |
| MLLW | 0.0 |
| LOWEST OBSERVED (1/1/1991) | -5.2 |

PURPOSE:

PROVIDE IMPROVED
WATERFRONT ACCESS & NEW
CRUISE SHIP TERMINAL.

DATUM: 0.0' M.L.L.W.

ADJACENT PROPERTY OWNERS:
SEE SHEET 2

**BERTH IV
RECONFIGURATION
PROJECT LOCATION**

APPLICATION BY:
SURVEY POINT HOLDINGS, INC.
P.O. BOX 8080
KETCHIKAN, AK 99901

PROPOSED:

RECONFIGURE BERTH IV
POA-2006-1418

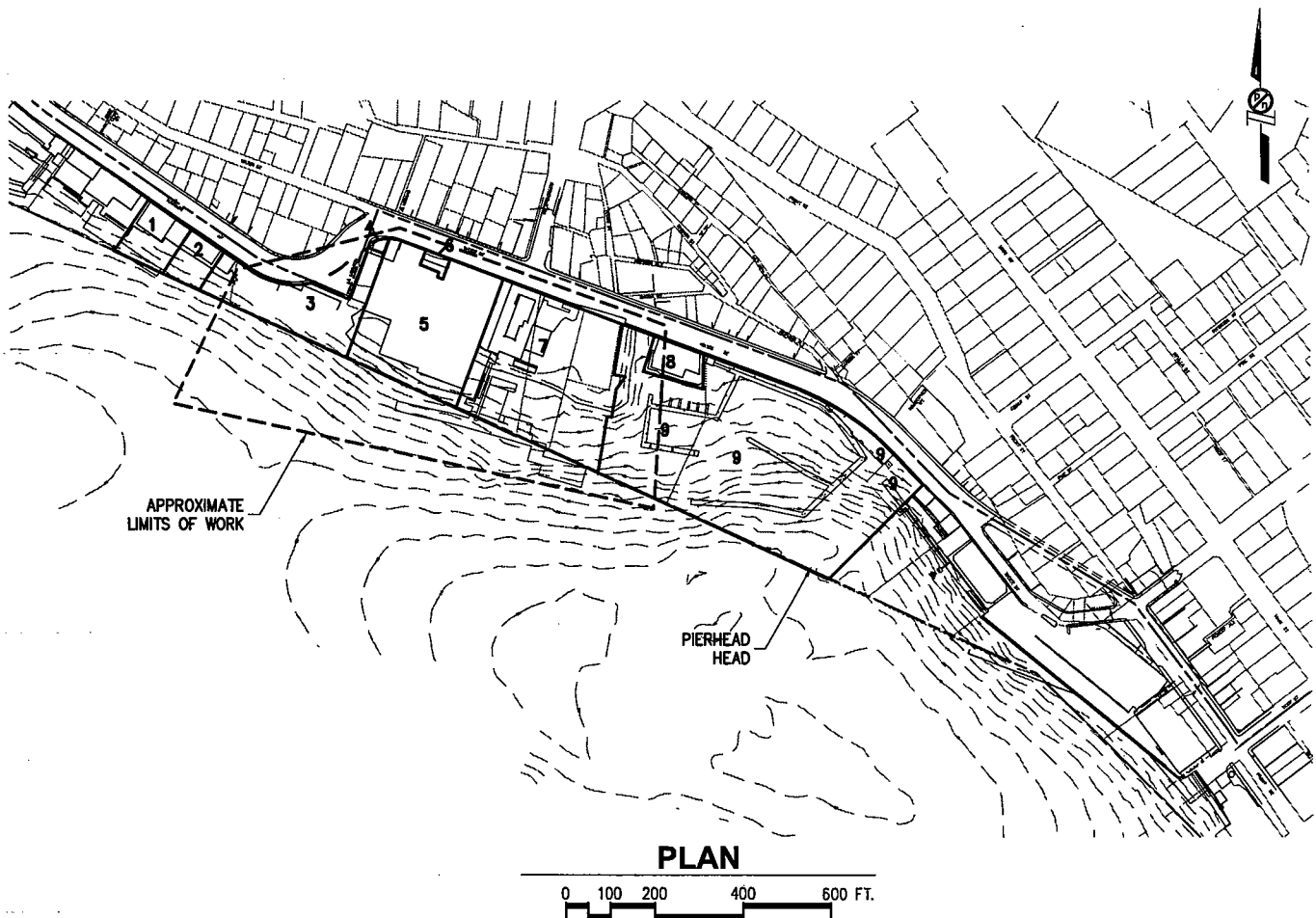
IN: TONGASS NARROWS
AT: KETCHIKAN, AK

SHEET 1 of 13 DATE: AUG. 18, 2006

| ADJACENT PROPERTY OWNERS | | | |
|--------------------------|-----------------------------------|---|--|
| MAP # | OWNER | MAILING ADDRESS | PROPERTY ADDRESS |
| 1 | Moose, Loyal Order of | PO Box 5224, Ketchikan, AK 99901 | 1245 Tongass Ave. |
| 2 | Wyman-Webb Kerry L/Wyman, H. Ruth | 1732 W 5th Street, Port Angeles, WA 98363 | 1225 Tongass Ave. |
| 3 | Talbots Inc | 1101 Tongass, Ketchikan, AK 99901 | Talbots, 1101 Tongass Ave. |
| 4 | Dima, Garnet E. & Charlene M. | 1059 Water Street, Ketchikan, AK 99901 | 1059 Water Street |
| 5 | Survey Point Holdings, Inc. | P.O. Box 8080, Ketchikan, AK 99901 | 1039 Water Street, Waterfront Storage |
| 6 | Survey Point Holdings, Inc. | P.O. Box 8080, Ketchikan, AK 99901 | 1033 A Water Street, Waterfront Storage |
| 7 | Survey Point Holdings, Inc. | P.O. Box 8080, Ketchikan, AK 99901 | 1007 Water Street & 837 Water Street, Taquan |
| 8 | Karuza John A. & Margaret Ann | 27 Shorewood Dr., Bellingham, WA 98225 | 809 Water Street |
| 9 | City of Ketchikan | 334 Front Street, Ketchikan, AK 99901 | Various |

MAP #5 - EXISTING PERMIT POA-1996-1037-2

MAP #7 - EXISTING PERMIT POA-1980-111-2



PURPOSE:

PROVIDE IMPROVED
WATERFRONT ACCESS & NEW
CRUISE SHIP TERMINAL.

DATUM: 0.0' M.L.L.W.

ADJACENT PROPERTY OWNERS:
SEE SHEET 2

**BERTH IV
RECONFIGURATION
ADJACENT PROPERTY
OWNERS**

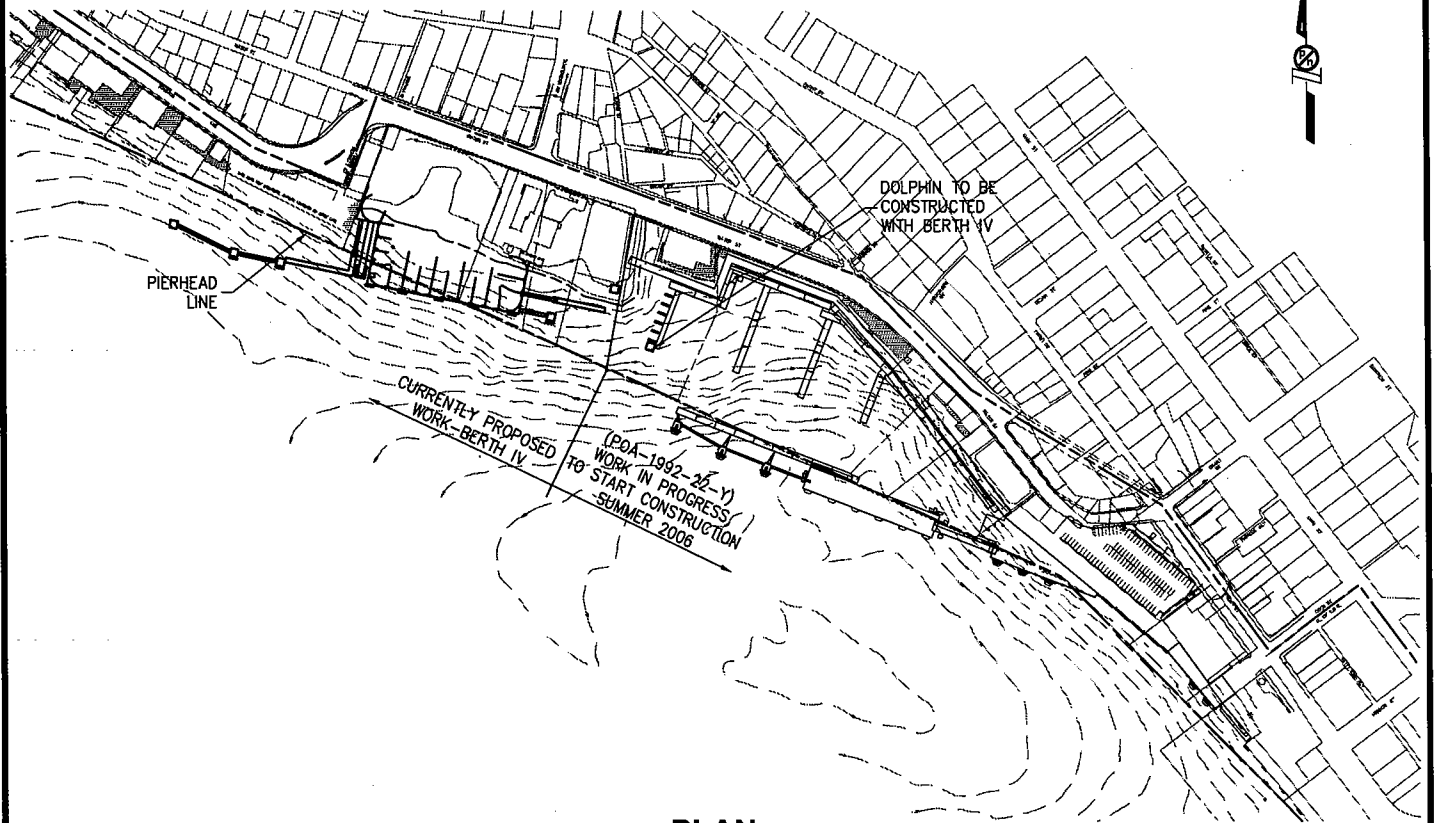
APPLICATION BY:
SURVEY POINT HOLDINGS, INC.
P.O. BOX 8080
KETCHIKAN, AK 99901

PROPOSED:

RECONFIGURE BERTH IV
POA-2006-1418

IN: TONGASS NARROWS
AT: KETCHIKAN, AK

SHEET 2 of 13 DATE: AUG. 18, 2006



PLAN

0 100 200 400 600 FT.



PURPOSE:

PROVIDE IMPROVED
WATERFRONT ACCESS & NEW
CRUISE SHIP TERMINAL.

DATUM: 0.0' M.L.L.W.

ADJACENT PROPERTY OWNERS:
SEE SHEET 2

**BERTH IV
RECONFIGURATION
BERTH III & BERTH IV
PROPOSED LAYOUT**

APPLICATION BY:
SURVEY POINT HOLDINGS, INC.
P.O. BOX 8080
KETCHIKAN, AK 99901

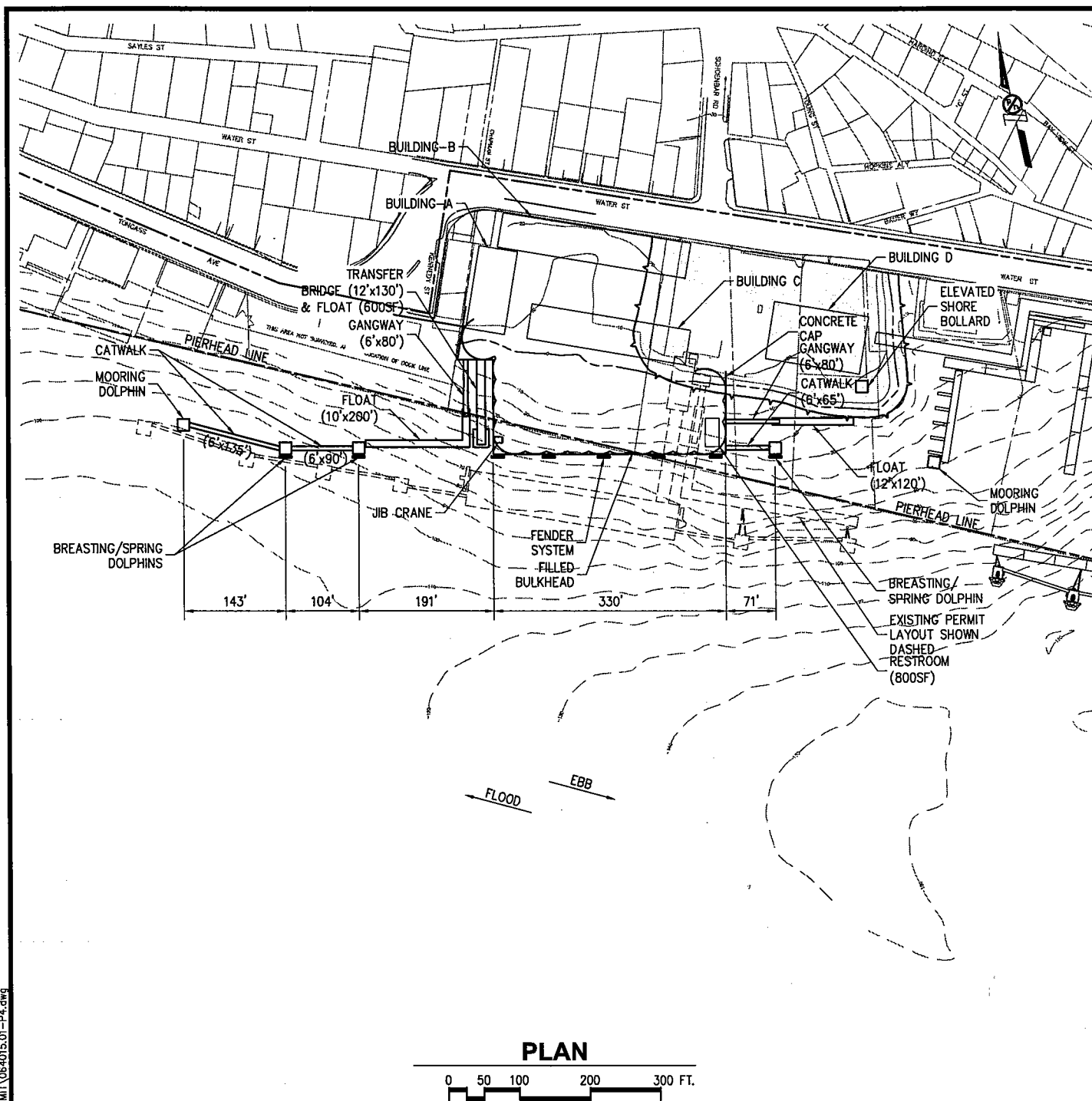
PROPOSED:

RECONFIGURE BERTH IV
POA-2006-1418

IN: TONGASS NARROWS
AT: KETCHIKAN, AK

SHEET 3 of 13 DATE: AUG. 18, 2006

Drawings\2006\064015.01 Ketchikan Berth IV\OPTION-1 PERMIT\064015.01-P4.dwg



PURPOSE:

PROVIDE IMPROVED
WATERFRONT ACCESS & NEW
CRUISE SHIP TERMINAL.

DATUM: 0.0' M.L.L.W.

ADJACENT PROPERTY OWNERS:
SEE SHEET 2

**BERTH IV
RECONFIGURATION
PROPOSED MODIFICATION
SITE PLAN**

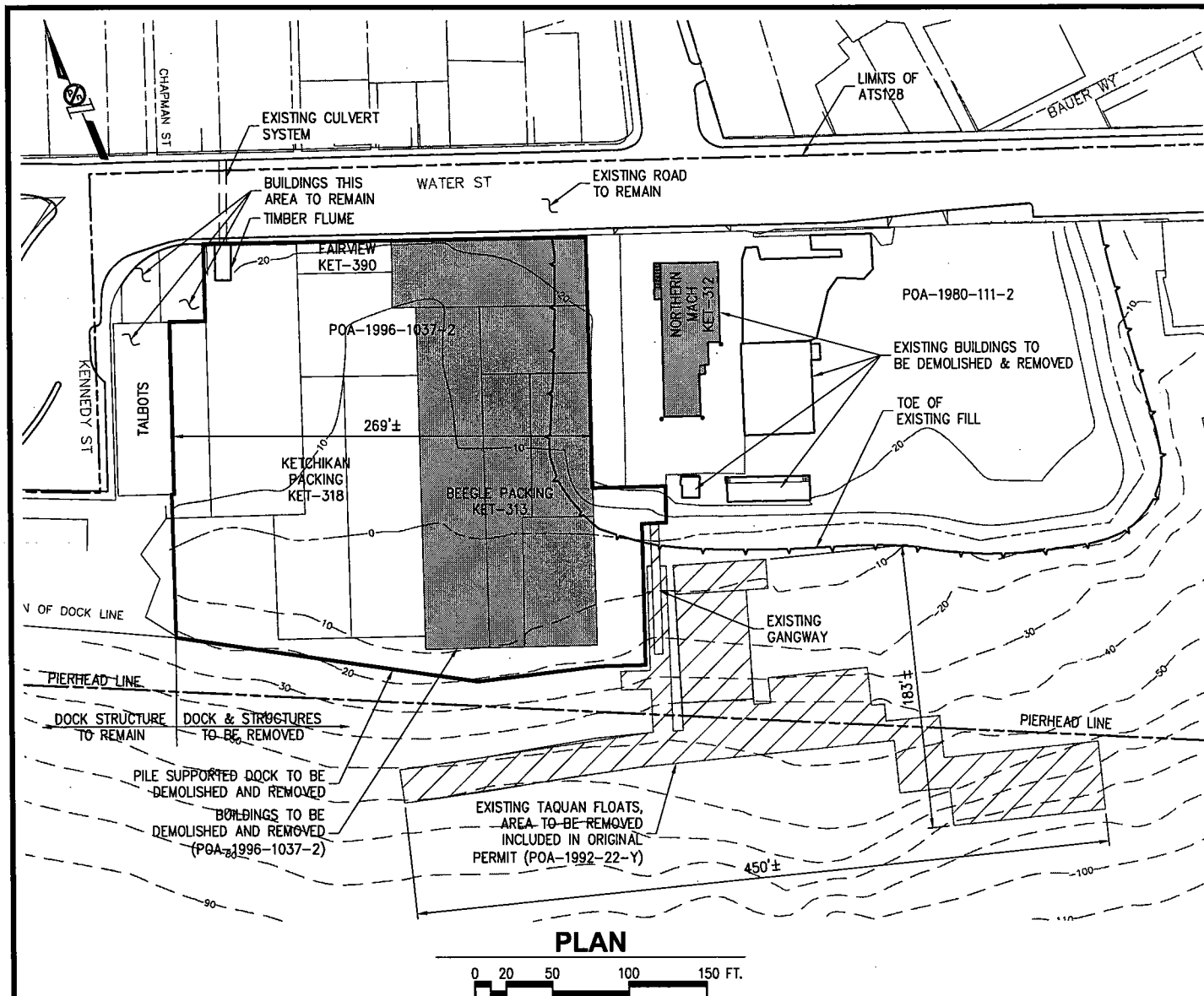
APPLICATION BY:
SURVEY POINT HOLDINGS, INC.
P.O. BOX 8080
KETCHIKAN, AK 99901

PROPOSED:

RECONFIGURE BERTH IV
POA-2006-1418

IN: TONGASS NARROWS
AT: KETCHIKAN, AK

SHEET 4 of 13 DATE: AUG. 18, 2006



POTENTIALLY HISTORIC STRUCTURES

| AHRS DESIGNATION | DESCRIPTION |
|------------------|---|
| KET-312 | NORTHERN MACHINE WORKS (TAQUAN BLDG.) |
| KET-313 | BEEBLE PACKING COMPANY (PORTION OF WATERFRONT STORAGE) |
| KET-390 | FAIRVIEW FLATS |
| KET-318 | KETCHIKAN PACKING COMPANY (PORTION OF WATERFRONT STORAGE) |

PURPOSE:

PROVIDE IMPROVED WATERFRONT ACCESS & NEW CRUISE SHIP TERMINAL.

DATUM: 0.0' M.L.L.W.

ADJACENT PROPERTY OWNERS:
SEE SHEET 2

BERTH IV RECONFIGURATION EXISTING SITE AND DEMOLITION PLAN

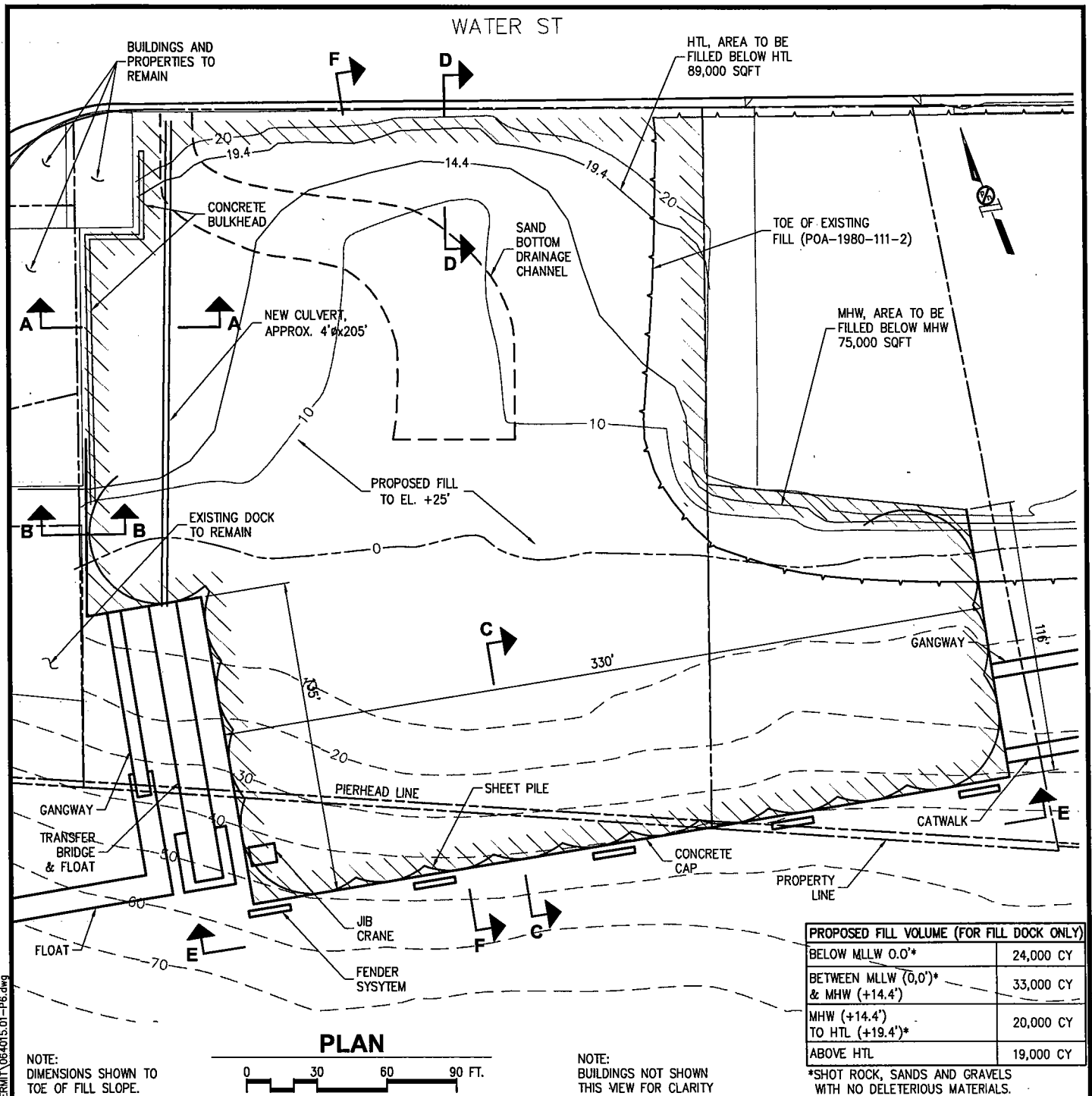
APPLICATION BY:
SURVEY POINT HOLDINGS, INC.
P.O. BOX 8080
KETCHIKAN, AK 99901

PROPOSED:

RECONFIGURE BERTH IV
POA-2006-1418

IN: TONGASS NARROWS
AT: KETCHIKAN, AK

SHEET 5 of 13 DATE: AUG. 18, 2006



PURPOSE:
PROVIDE IMPROVED
WATERFRONT ACCESS & NEW
CRUISE SHIP TERMINAL.

DATUM: 0.0' M.L.L.W.

ADJACENT PROPERTY OWNERS:
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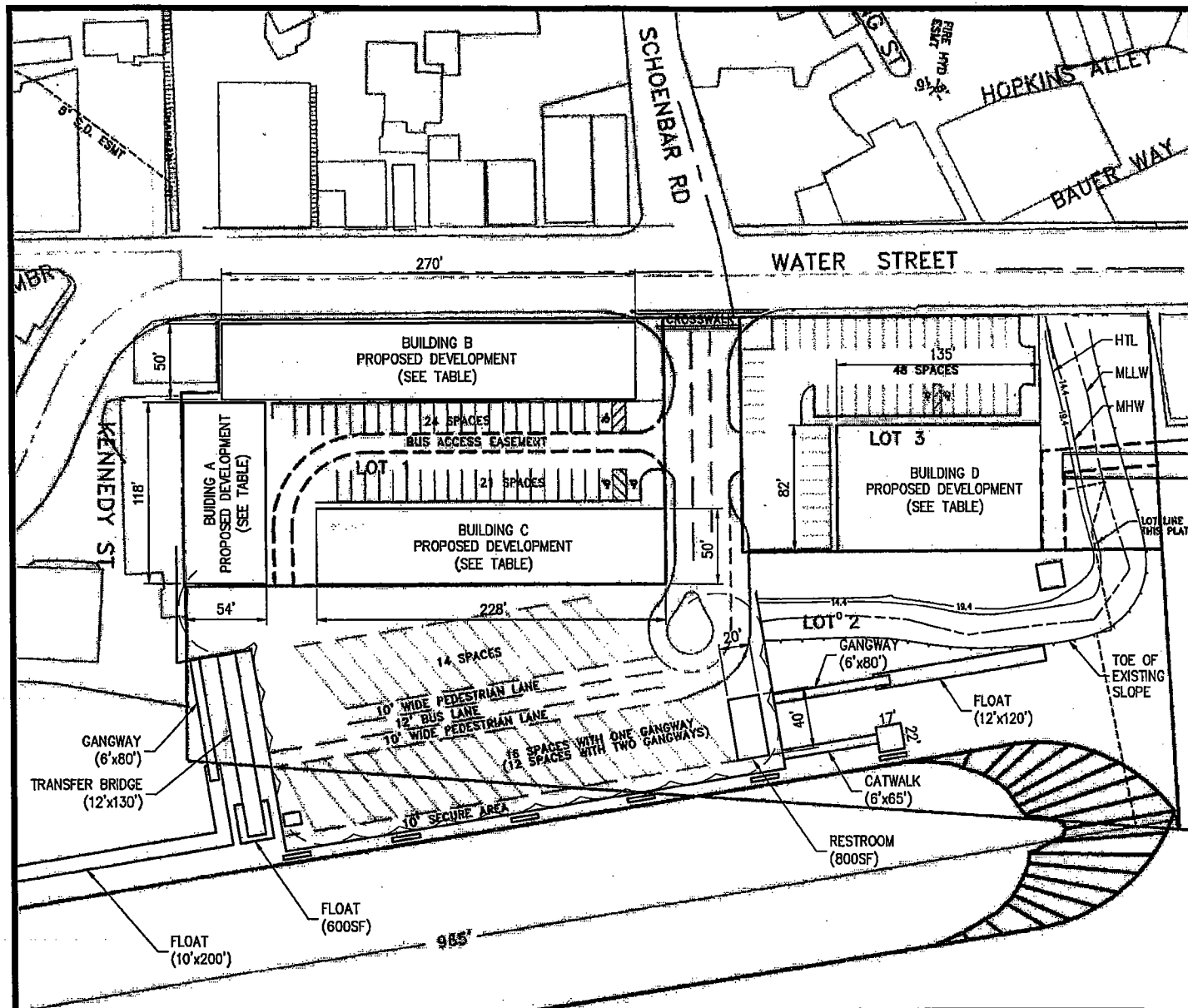
BERTH IV RECONFIGURATION BULKHEAD PLAN (PROPOSED)

APPLICATION BY:
SURVEY POINT HOLDINGS, INC.
P.O. BOX 8080
KETCHIKAN, AK 99901

PROPOSED:
RECONFIGURE BERTH IV
POA-2006-1418

IN: TONGASS NARROWS
AT: KETCHIKAN, AK

SHEET 6 of 13 DATE: AUG. 18, 2006



PLAN

NOTE:
FINAL CONFIGURATION WILL BE DETERMINED
THROUGH THE BUILDING PERMIT PROCESS.

BUILDING A, B & C

FL1 - RETAIL
FL2 - OFFICE & STORAGE
FL3 - RESIDENTIAL
FL4 - RESIDENTIAL

BUILDING D

FL1 - RETAIL, OFFICE, STORAGE
FL2 - OFFICE & STORAGE
FL3 - OFFICE & STORAGE

PURPOSE:

PROVIDE IMPROVED
WATERFRONT ACCESS & NEW
CRUISE SHIP TERMINAL.

DATUM: 0.0' M.L.L.W.

ADJACENT PROPERTY OWNERS:
SEE SHEET 2

**BERTH IV
RECONFIGURATION
PROPOSED BUILDING
LAYOUT**

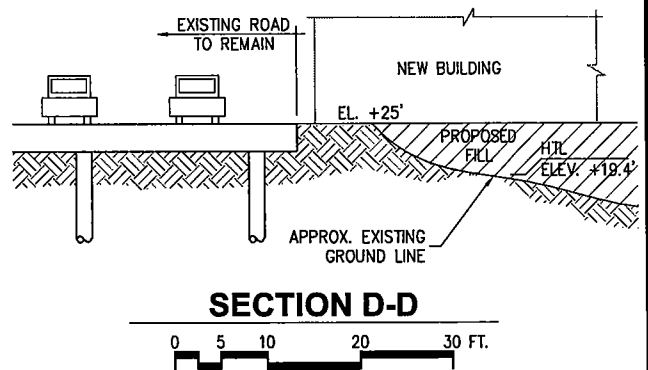
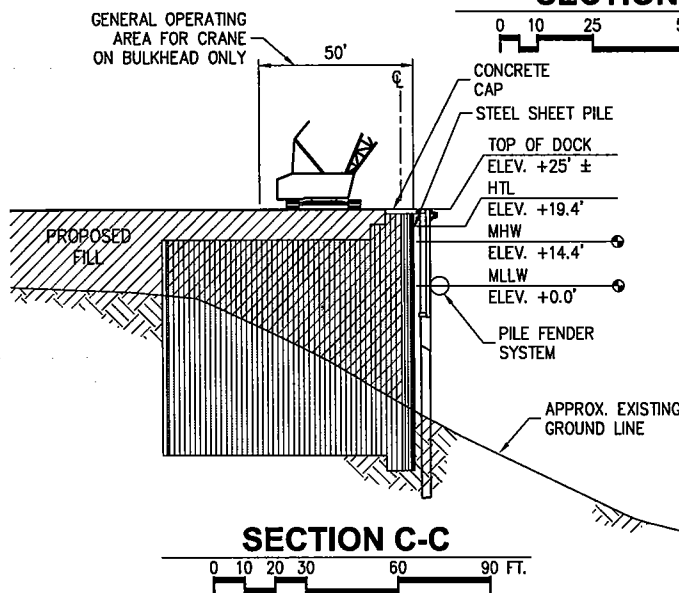
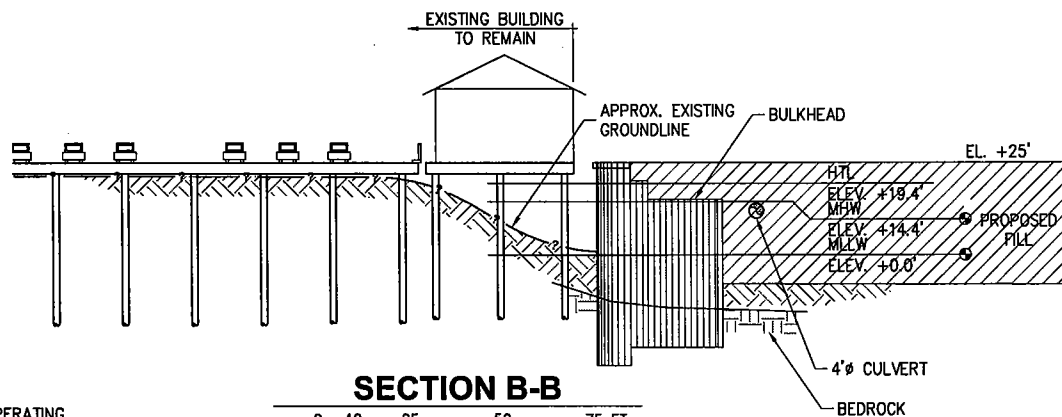
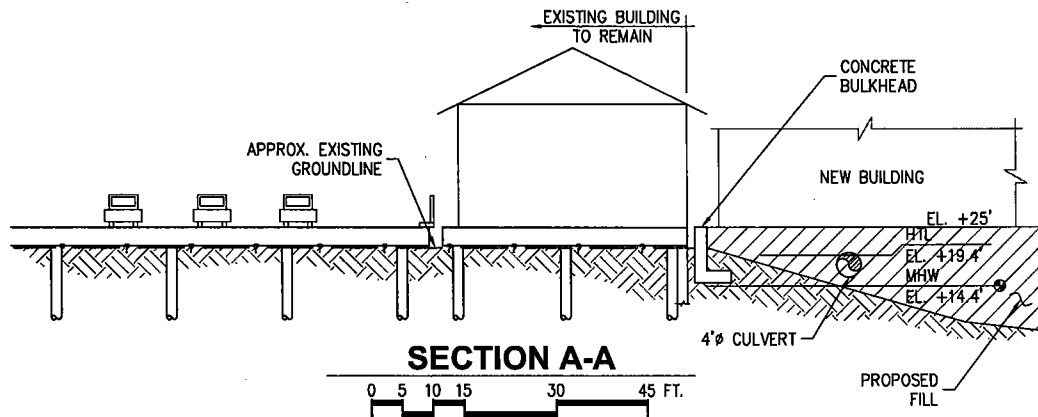
APPLICATION BY:
SURVEY POINT HOLDINGS, INC.
P.O. BOX 8080
KETCHIKAN, AK 99901

PROPOSED:

RECONFIGURE BERTH IV
POA-2006-1418

IN: TONGASS NARROWS
AT: KETCHIKAN, AK

SHEET 7 of 13 DATE: AUG. 18, 2006



PURPOSE:
PROVIDE IMPROVED
WATERFRONT ACCESS & NEW
CRUISE SHIP TERMINAL.

DATUM: 0.0' M.L.L.W.

ADJACENT PROPERTY OWNERS:
SEE SHEET 2

BERTH IV RECONFIGURATION SECTIONS & PROPOSED BULKHEAD

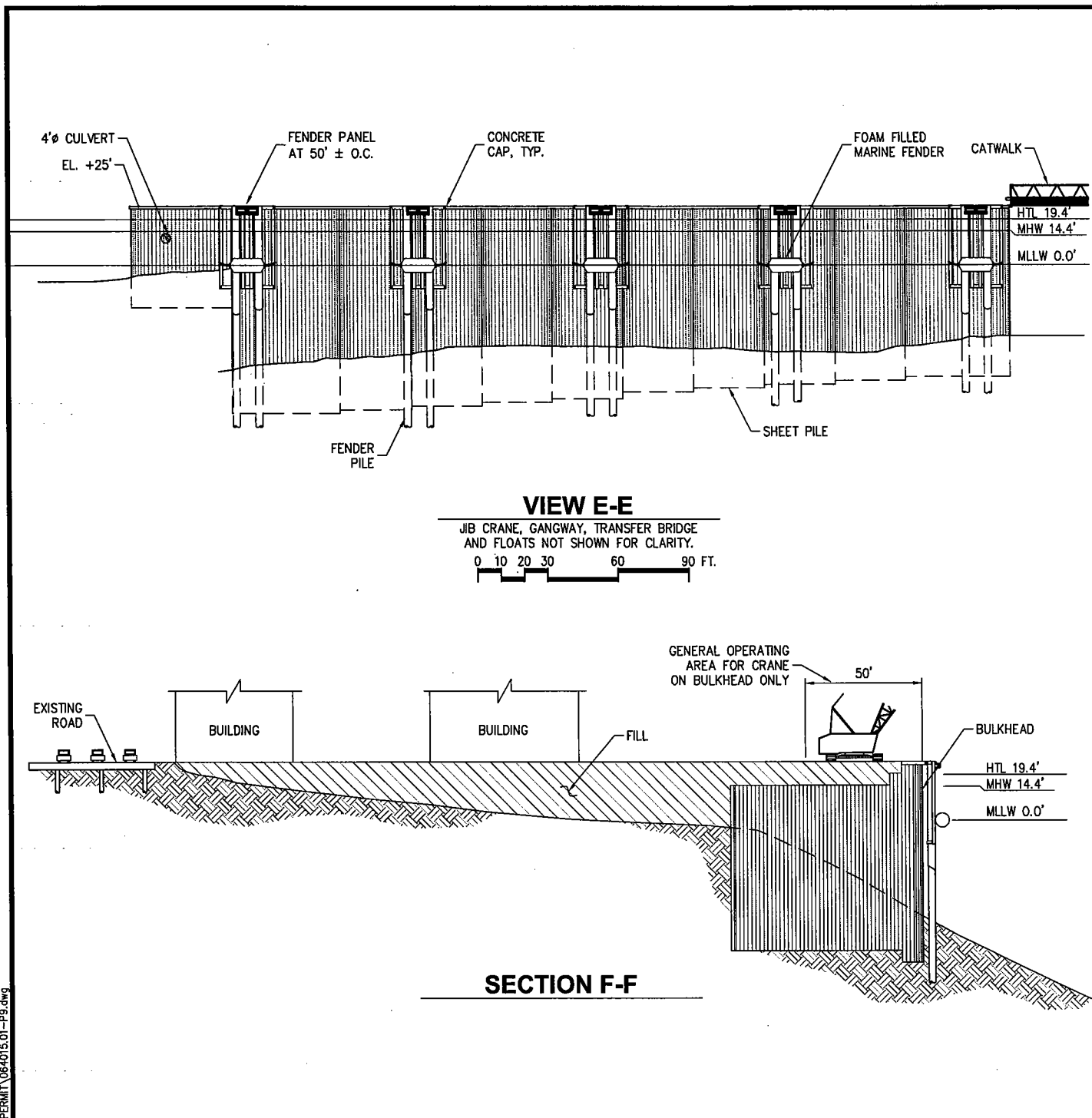
APPLICATION BY:
SURVEY POINT HOLDINGS, INC.
P.O. BOX 8080
KETCHIKAN, AK 99901

PROPOSED:
RECONFIGURE BERTH IV
POA-2006-1418

IN: TONGASS NARROWS
AT: KETCHIKAN, AK

SHEET 8 of 13 DATE: AUG. 18, 2006

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PURPOSE:
PROVIDE IMPROVED
WATERFRONT ACCESS & NEW
CRUISE SHIP TERMINAL.

DATUM: 0.0' M.L.L.W.

ADJACENT PROPERTY OWNERS:
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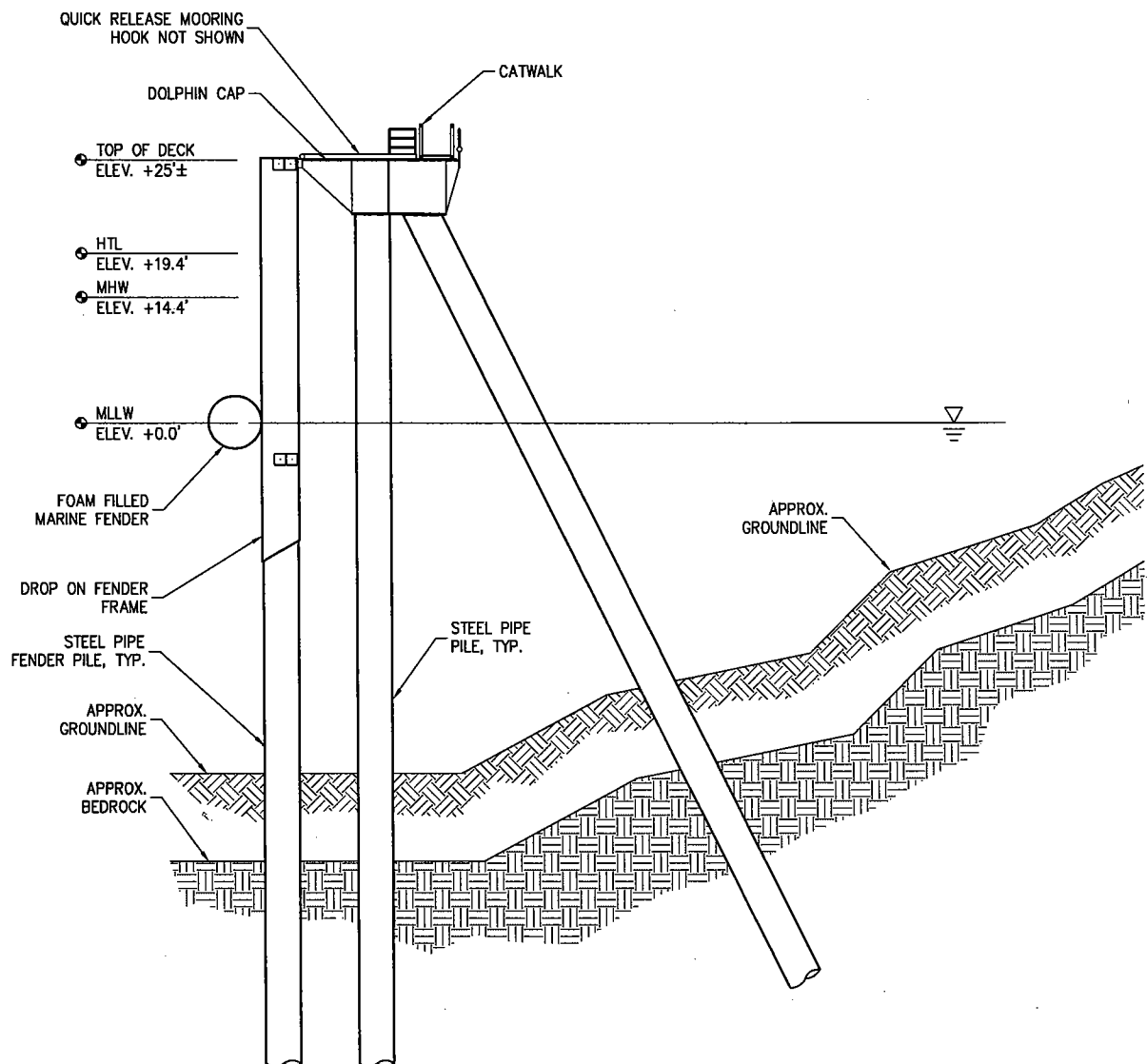
**BERTH IV
RECONFIGURATION
OPEN-CELL BULKHEAD
PARTIAL ELEVATION
(PROPOSED)**

APPLICATION BY:
SURVEY POINT HOLDINGS, INC.
P.O. BOX 8080
KETCHIKAN, AK 99901

PROPOSED:
RECONFIGURE BERTH IV
POA-2006-1418

IN: TONGASS NARROWS
AT: KETCHIKAN, AK

SHEET 9 of 13 DATE: AUG. 18, 2006



BREASTING DOLPHIN

MOORING DOLPHINS ARE SIMILAR



PURPOSE:

PROVIDE IMPROVED
WATERFRONT ACCESS & NEW
CRUISE SHIP TERMINAL.

DATUM: 0.0' M.L.L.W.

ADJACENT PROPERTY OWNERS:
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BERTH IV RECONFIGURATION TYPICAL DOLPHIN (PROPOSED)

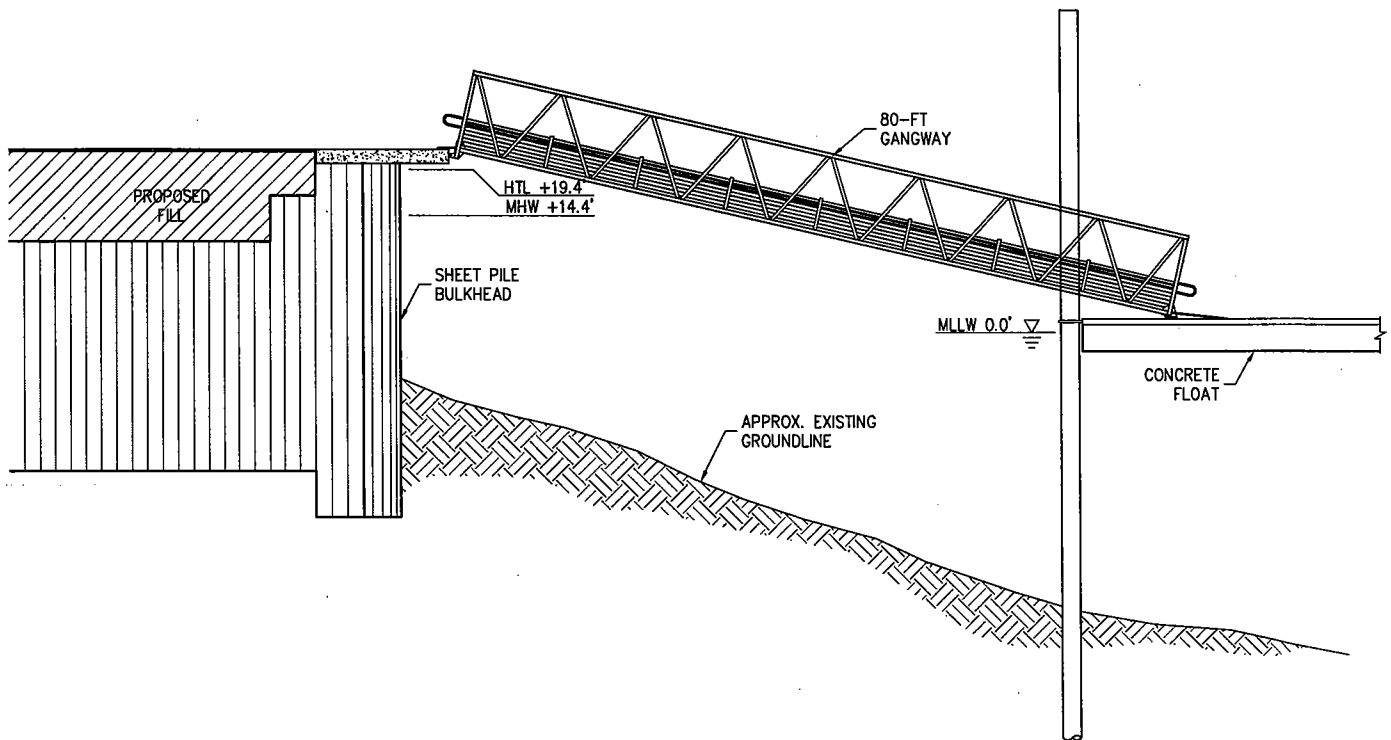
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RECONFIGURE BERTH IV
POA-2006-1418

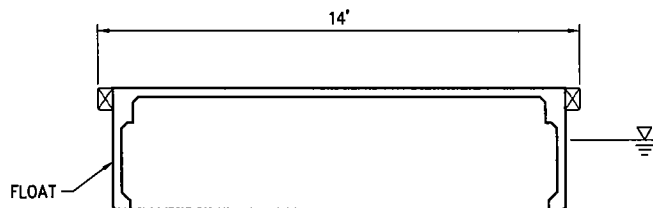
IN: TONGASS NARROWS
AT: KETCHIKAN, AK

SHEET 10 of 13 DATE: AUG. 18, 2006



GANGWAY AND TENDERING FLOAT

0 5 10 20 30 FT.



TYPICAL FLOAT SECTION

0 1 2 4 6 8 FT.

PURPOSE:

PROVIDE IMPROVED
WATERFRONT ACCESS & NEW
CRUISE SHIP TERMINAL.

DATUM: 0.0' M.L.L.W.

ADJACENT PROPERTY OWNERS:
SEE SHEET 2

BERTH IV RECONFIGURATION GANGWAY AND TENDERING FLOAT (PROPOSED)

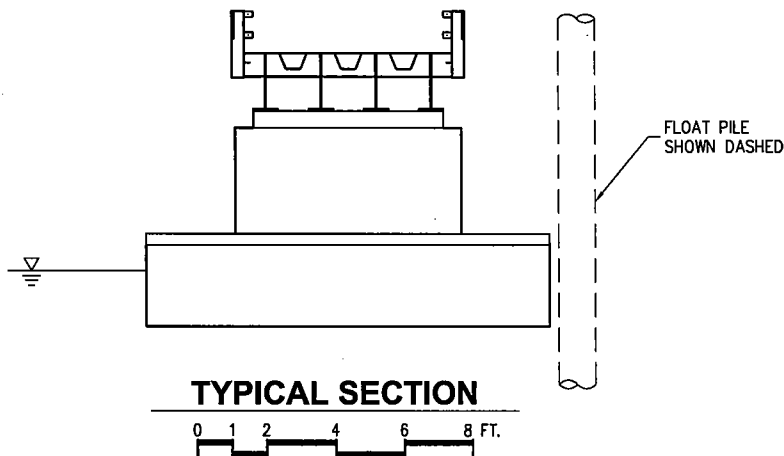
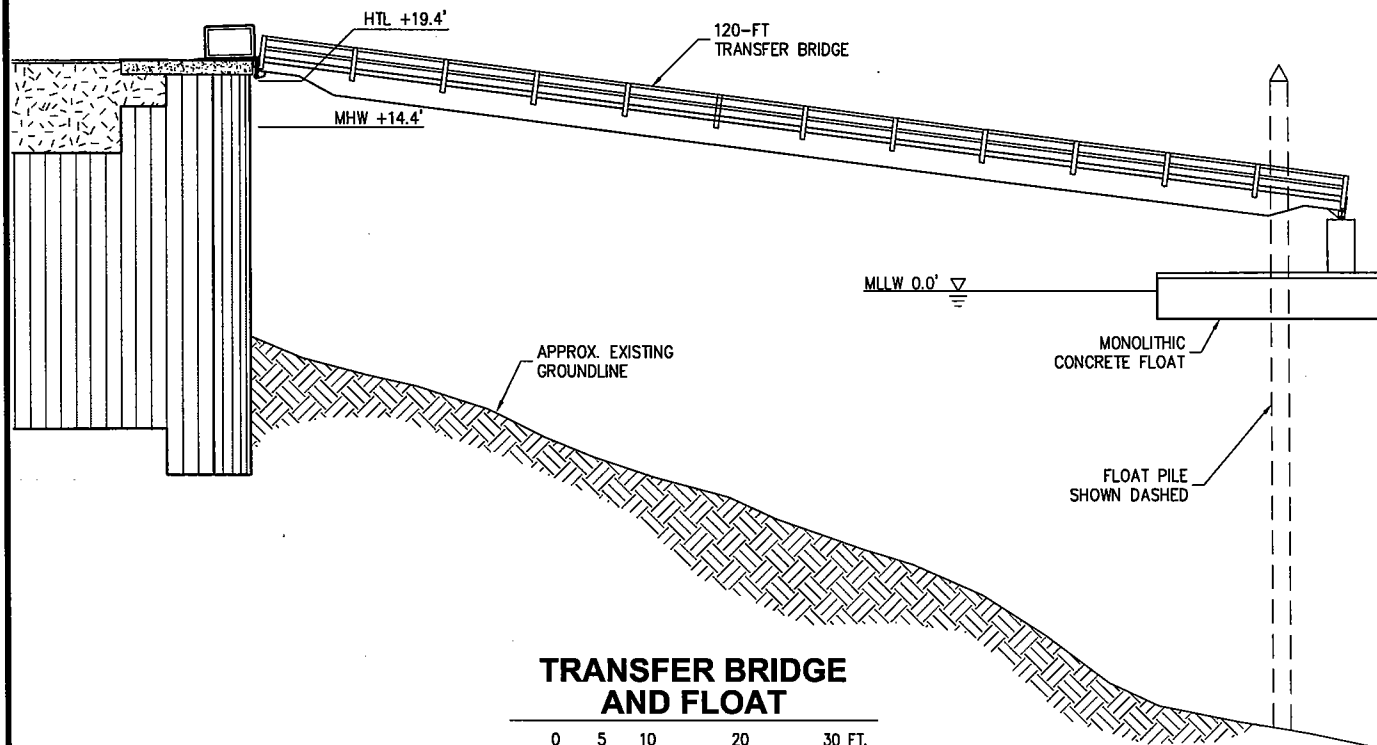
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PROPOSED:

RECONFIGURE BERTH IV
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IN: TONGASS NARROWS
AT: KETCHIKAN, AK

SHEET 11 of 13 DATE: AUG. 18, 2006



PURPOSE:

PROVIDE IMPROVED
WATERFRONT ACCESS & NEW
CRUISE SHIP TERMINAL.

DATUM: 0.0' M.L.L.W.

ADJACENT PROPERTY OWNERS:
SEE SHEET 2

**BERTH IV
RECONFIGURATION
TRANSITION
BRIDGE & FLOAT
(PROPOSED)**

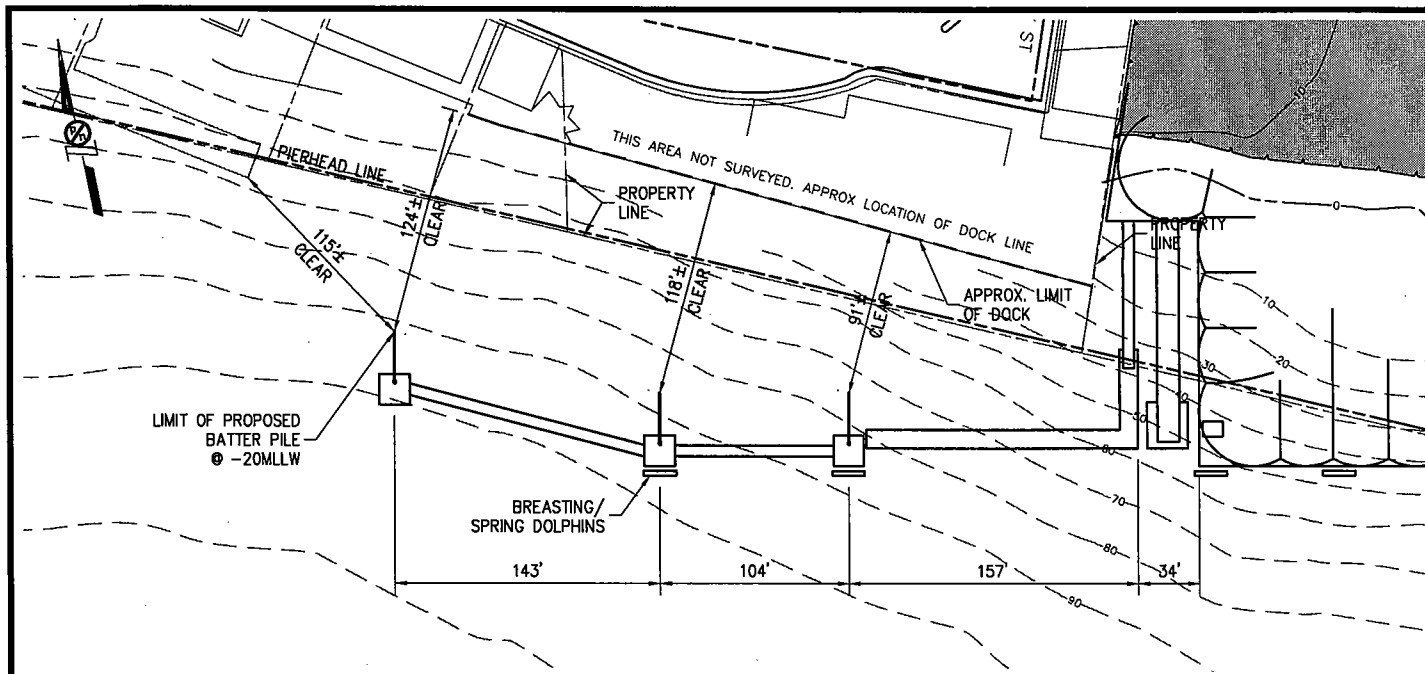
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KETCHIKAN, AK 99901

PROPOSED:

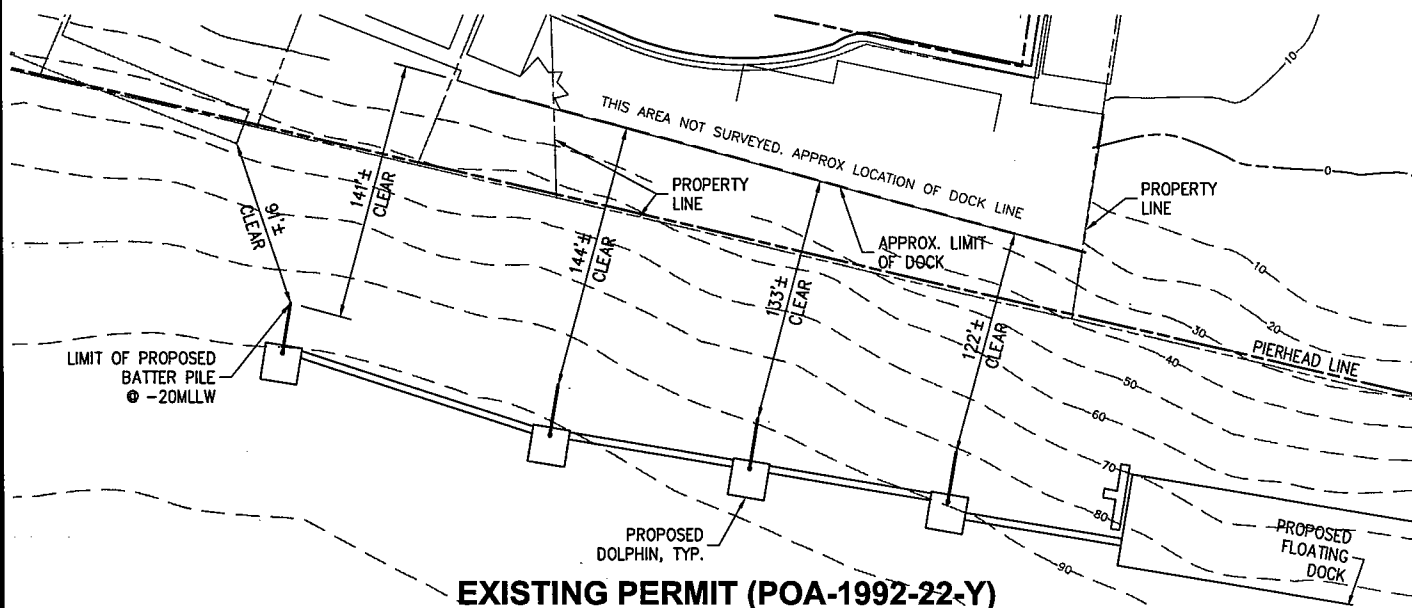
RECONFIGURE BERTH IV
POA-2006-1418

IN: TONGASS NARROWS
AT: KETCHIKAN, AK

SHEET 12 of 13 DATE: AUG. 18, 2006



PROPOSED DESIGN PLAN



EXISTING PERMIT (POA-1992-22-Y) DESIGN PLAN

0 20 50 100 150 FT.

PURPOSE:

PROVIDE IMPROVED
WATERFRONT ACCESS & NEW
CRUISE SHIP TERMINAL.

DATUM: 0.0' M.L.L.W.

ADJACENT PROPERTY OWNERS:
SEE SHEET 2

BERTH IV RECONFIGURATION

NAVIGATION CLEARANCES

APPLICATION BY:
SURVEY POINT HOLDINGS, INC.
P.O. BOX 8080
KETCHIKAN, AK 99901

PROPOSED:

RECONFIGURE BERTH IV
POA-2006-1418

IN: TONGASS NARROWS
AT: KETCHIKAN, AK

SHEET 13 of 13 DATE: AUG. 18, 2006

STATE OF ALASKA

OFFICE OF THE GOVERNOR

DEPT. OF ENVIRONMENTAL CONSERVATION

DIVISION OF WATER

401 Certification Program

Non-Point Source Water Pollution Control Program

NOTICE OF APPLICATION FOR STATE WATER QUALITY CERTIFICATION

Any applicant for a federal license or permit to conduct an activity that might result in a discharge into navigable waters, in accordance with Section 401 of the Clean Water Act of 1977 (PL95-217), also must apply for and obtain certification from the Alaska Department of Environmental Conservation that the discharge will comply with the Clean Water Act, the Alaska Water Quality Standards, and other applicable State laws. By agreement between the U.S. Army Corps of Engineers and the Department of Environmental Conservation, application for a Department of the Army permit to discharge dredged or fill material into navigable waters under Section 404 of the Clean Water Act also may serve as application for State Water Quality Certification.

Notice is hereby given that the application for a Department of the Army Permit described in the Corps of Engineers' Public Notice No **POA-2006-1418-2, Tongass Narrows**, serves as application for State Water Quality Certification from the Department of Environmental Conservation.

After reviewing the application, the Department may certify that there is reasonable assurance that the activity, and any discharge that might result, will comply with the Clean Water Act, the Alaska Water Quality Standards, and other applicable State laws. The Department also may deny or waive certification.

Any person desiring to comment on the project with respect to Water Quality Certification may submit written comments within 30 days of the date of the Corps of Engineer's Public Notice to:

Department of Environmental Conservation
WQM/401 Certification
410 Willoughby Avenue
Juneau, Alaska 99801-1795
Telephone: (907) 465-5321
FAX: (907) 465-5274

FRANK H. MURKOWSKI, GOVERNOR

STATE OF ALASKA

OFFICE OF THE GOVERNOR

**DEPARTMENT OF NATURAL RESOURCES
OFFICE OF PROJECT MANAGEMENT AND PERMITTING**

OFFICE OF PROJECT MANAGEMENT AND PERMITTING
302 GOLD STREET, SUITE 202
JUNEAU, ALASKA 99801-1127
PHONE: (907) 465-3562/FAX: (907) 465-3075

**NOTICE OF APPLICATION
FOR
CERTIFICATION OF CONSISTENCY WITH THE
ALASKA COASTAL MANAGEMENT PROGRAM**

Notice is hereby given that a request is being filed with the Office of Project Management and Permitting for a consistency determination, as provided in Section 307(c)(3) of the Coastal Zone Management Act of 1972, as amended [16 U.S.C. 1456(c)(3)], that the project described in the Corps of Engineers Public Notice No **POA-2006-1418-2, Tongass Narrows**, will comply with the Alaska Coastal Management Program and that the project will be conducted in a manner consistent with that program.

This project is being reviewed for consistency with the Alaska Coastal Management Program. Written comments about the consistency of the project with the applicable ACMP statewide standards and district policies must be submitted to the Office of Project Management and Permitting. For information about this consistency review, contact OPMP at (907) 269-7470 or (907) 465-3562, or visit the ACMP web site at <http://www.gov.state.ak.us/gdc/Projects/projects.html>.